

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

REALTIME DATA LLC d/b/a IXO;

Plaintiff,

v.

ACTIAN CORPORATION and PERVASIVE
SOFTWARE, INC.,

Defendants.

Case No. 6:15-cv-00463-RWS-JDL

**DECLARATION OF JAMES FALLOON IN SUPPORT OF PLAINTIFF REALTIME
DATA LLC'S OPPOSITION TO DEFENDANT ACTIAN CORPORATION'S
MOTION TO TRANSFER VENUE**

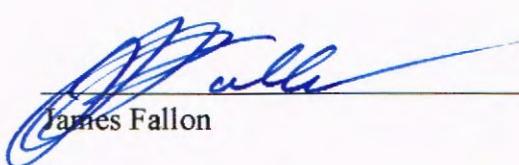
I, James Fallon, declare and state as follows:

1. I have personal knowledge of all matters set forth in this declaration, and if called upon to do so, could and would testify truthfully to them.
2. It is my understanding that Realtime Data, LLC d/b/a IXO ("Realtime") filed the above-captioned action the United States District Court for the Eastern District of Texas, Tyler Division, in May 2015.
3. I am an inventor of the patents being asserted by Realtime in the above-captioned litigation. I reside in Armonk, New York.
4. I understand that Defendant Actian Corporation ("Actian") has filed a motion to sever and transfer certain claims against it to the Northern District of California ("N.D. Cal.").
5. I understand that the Court will consider my convenience in connection with its decision on the pending motion to transfer. As such, I make this declaration to indicate that I would prefer that the above-captioned action proceed in Texas and not in N.D. Cal., as I will not be inconvenienced by travel to Texas to appear as a witness at trial.
6. If asked to testify in Tyler, Texas, I would be willing to do so.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on November 5, 2015 at Armonk, New York.

By:



James Fallon